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Dkt. 0575/64080/JPW/JML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : David M. Stern, et al.
Serial No. : 09/872,185
Filing Date : June 1, 2001
For : METHODS FOR TREATING INFLAMMATION

1185 Avenue of the Americas
New York, New York 10036
August 17, 2001

Confirmation No. 2919

Honorable Commissioner for Patents and Trademarks
Washington, D.C. 20231

ATTN: BOX MISSING PARTS

Sir:

**COMMUNICATION IN RESPONSE TO
JULY 17, 2001 NOTICE TO FILE MISSING
PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(b)**

This Communication is submitted in reply to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) Filing Date Granted by the U.S. Patent and Trademark Office in connection with the above-identified application on July 17, 2001, a copy of which is enclosed as **Exhibit A**. The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(b) is SIXTY FIVE DOLLARS (\$65.00) for a small entity. Applicants attach hereto as **Exhibit C** a signed, Verified Statement Claiming Small Entity Status and maintain that small entity status is applicable. In accordance with the Notice, a reply is due September 17, 2001 and this Amendment is being timely filed.

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Applicants submit herewith as **Exhibit B** a Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.53. The Declaration refers to the application's above-identified serial number and filing date.

Sequence Listing

The July 17, 2001 Notice indicates that the application fails to comply with the requirements under 37 C.F.R. §1.821(e). The Notice further specifies that applicant must provide a statement that the content of the paper copy of the Sequence Listing and computer readable copy of the Sequence Listing are the same and include no new matter.

In reply, applicants submit herewith a new Sequence Listing attached hereto as **Exhibit D** in compliance with the requirements of 37 C.F.R. §1.824. In addition, applicants submit herewith a computer readable copy of the Sequence Listing on the enclosed computer diskette, which has the same content as the paper copy attached as **Exhibit D**. Applicants submit as **Exhibit E**, a Statement in accordance with 37 C.F.R. §1.821(f) certifying that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. §1.821(f) and submitted in connection with the above-identified application, has the same information which is submitted herewith as **Exhibit D** entitled "Sequence Listing".

Thus, applicants maintain that the application now complies with the requirements of 37 C.F.R. §1.824.

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invite the Examiner to telephone at the number provided below.

No fee, other than the enclosed \$65.00 surcharge fee is deemed necessary in connection with the filing of this Communication. If any additional fees are required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:
Honorable Commissioner of Patents and Trademarks - Washington, D.C. 20231

Jane M. Love 8/17/01

John P. White
Reg. No. 28,678
Jane M. Love
Reg. No. 42,812

Date

John P. White

John P. White
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/872,185	06/01/2001	David M. Stern	0575/64080 JPW JM

CONFIRMATION NO. 2919

FORMALITIES LETTER



OC000000006306583

Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, NY 10036

Date Mailed: 07/17/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**
- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

AUG 20 2001

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BOX: MISSING PARTS

Sir:

STATEMENT IN ACCORDANCE WITH 37 C.F.R. §1.821(f)

In accordance with 37 C.F.R. §1.821(f), I hereby certify that the computer readable form containing the nucleic acid and/or amino acid sequences required by 37 C.F.R. §1.821(f) and submitted in connection with the above-identified application, has the same content as that submitted herewith as **EXHIBIT D** entitled "Sequence Listing."

Respectfully submitted,



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